THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

W.P.No.16556 of 2005

Dated 28th day of July, 2005

Between:

1. Bantu Seeta Ratnam, s/o. B. Ratnam,

Age 42 years, Occ: Cultivator,,

R/o. Vellachintalagudam (V), Gopalapuram (M),

West Godavari District.

… **Petitioner**

And

1. The Principal Secretary to Govt. of A.P.,

Dept. of Revenue, Secretariat buildings,

Hyderabad, and 3 others .. **Respondents**

ORDER:

The writ petition is filed to declare the impugned order in ROC No.210/2005, dated 16-06-2005 passed by the fourth respondent-Mandal Revenue Officer, Gopalapuram Mandal, West Godavari District, in relation to the land admeasuring Ac.6.00 cents in R.S.No.272/4B, and 263/2 of Vellachintalagudam village, Gopalapuram Mandal, as null and void and contrary to the provisions of the Andhra Pradesh Assigned Lands (P.O.T.) Act 9/77.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents and with their consent, the writ petition is being disposed of finally at the admission stage.

3. As against the order dated 16-06-2005 passed by the fourth respondent – Mandal Revenue Officer cancelling and resuming the assignment made in favour of the petitioner in Ac.6.00 cents in R.S.No.272/4B, and 263/2 of Vellachintalagudam village, Gopalapuram Mandal, admittedly, the petitioners filed an appeal before the third respondent-Revenue Divisional Officer on 16-07-2005, and the same is still pending for consideration.

4. Since the appeal preferred by the petitioner as against the orders of resumption of assignment of land is pending consideration before the third respondent, I deem it appropriate to direct the third respondent to consider and dispose of the appeal filed by the petitioner in the month of July, 2005 against the orders of the fourth respondent dated 16-06-2005, after affording an opportunity to the petitioner, in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. Till such time, the respondents are directed not to dispossess the petitioner from the peaceful possession and enjoyment of the land in question.

With the above observation, the writ petition is disposed of at the stage of admission. No costs.

_____

ELIPE DHARMA RAO, J

Date: 28th July, 2005

lsn